

EIGHTEENTH DAY.

(Wednesday, February 4, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Jasper.
Albritton.	Johnson.
Alexander	Jones.
of Bastrop.	Jordan.
Atkinson.	Justice.
Avis.	Kayton.
Baker of Orange.	Kemble.
Baker of Panola.	Kenyon.
Barker.	King.
Barron.	Kinnear.
Bartlett.	Kittrell.
Bateman.	Laird.
Bean.	Lane of Hamilton.
Bedford.	Lane of Harrison.
Bird.	Lipscomb.
Blount.	Loftin.
Bobbitt.	Low.
Boggs.	Mankin.
Bonham.	Masterson.
Brown.	McBride.
Bryant.	McDonald.
Cade.	McDougald.
Chitwood.	McFarlane.
Coffey.	McGill.
Conway.	McKean.
Coody.	McNatt.
Covey.	Merritt.
Cox of Lamar.	Montgomery.
Cummings.	Moore.
Dale.	Nicholson.
Davis of Dallas.	Parish.
Davis of Wood.	Pavlica.
DeBerry.	Pearce.
Dielmann.	Perdue.
Donnell.	Petsch.
Downs.	Poage.
Dunn of Falls.	Pool.
Dunn of Hopkins.	Pope.
Durham.	Powell.
Enderby.	Purl.
Farrar.	Rawlins.
Faulk.	Raymer.
Fields.	Renfro.
Finlay.	Rice.
Florence.	Robinson.
Foster.	Rogers.
Frnka.	Rowell.
Graves.	Rowland.
Gray.	Runge.
Hagaman.	Sanford.
Hall.	Shearer.
Harman.	Sheats.
Harper.	Simmons.
High.	Sinks.
Hollowell.	Smith of Nueces.
Hoskins.	Smith of Travis.
Irwin.	Smyth.
Jacks.	Sparks.

Stautzenberger.	Wallace.
Stell.	Webb.
Stevens.	Wells.
Stevenson.	Westbrook.
Stout.	Wester.
Taylor.	Williamson.
Thompson.	Wilson.
Tomme.	Woodruff.
Veatch.	Young.
Walker.	

Absent.

Houston.	Teer.
Maxwell.	Wade.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Amsler.	Hull.
Carter.	Simpson.
Cox of Navarro.	Storey.
Daniels.	Strong.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.

Mr. Simpson for today, on motion of Mr. Lane of Harrison.

Mr. Hull for today, on motion of Mr. Cade.

Mr. Carter for today and tomorrow, on motion of Mr. McKean.

Mr. Cox of Navarro for today and tomorrow, on motion of Mr. Loftin.

Mr. Storey for today and tomorrow, on motion of Mr. Loftin.

Mr. Daniels for today and tomorrow, on motion of Mr. Loftin.

Mr. Alexander of Limestone for today, on motion of Mr. Rice.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Teer:

H. B. No. 343, A bill to be entitled "An Act to impose a tax on cigars and cigarettes and to provide for the collection of same, and the funds thereof to be used for educational building school fund, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Kittrell:

H. B. No. 344, A bill to be entitled "An Act to permit political parties in this State to nominate candidates in such manner as such parties may provide; to define the jurisdiction of courts in contests for nominations and to repeal all laws heretofore enacted in reference to nominations by primary election or party conventions."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Kittrell and Mr. Smith of Travis:

H. B. No. 345, A bill to be entitled "An Act authorizing the Texas Library and Historical Commission to place certain historical relics in the custody of the Daughters of the Republic of Texas and the United Daughters or the Confederacy, Texas Division; providing for their safe-keeping, safe-guarding the title of the State thereto, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Bryant (by request):

H. B. No. 346, A bill to be entitled "An Act to provide for granting pensions to indigent widows of ex-Confederate soldiers, to declare who are entitled thereto and the amount thereof, and to repeal all laws in conflict herewith."

Referred to Committee on State Affairs.

By Mr. Perdue:

H. B. No. 347, A bill to be entitled "An Act to amend Article 7569, Revised Civil Statutes of 1920, prescribing the duties and powers of county commissioners when sitting as a board of equalization by adding thereto the following to be designated Section 2, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Sinks:

H. B. No. 348, A bill to be entitled "An Act to amend Article 612 of the Code of Criminal Procedure of the State of Texas, allowing the adverse party to contest the motion for continuance."

Referred to Committee on Criminal Jurisprudence.

By Mr. Petsch:

H. B. No. 349, A bill to be entitled "An Act to amend Section 1, Chapter 62, Acts of the Regular Session of the Thirty-second Legislature of the State

of Texas, increasing the amount of county funds for demonstration work in co-operation with the extension service of the Agricultural and Mechanical College of Texas, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Pearce:

H. B. No. 350, A bill to be entitled "An Act to create the Zephyr Independent School District in Brown and Mills counties, Texas, including therein the present Zephyr Independent School District No. 39 in Brown and Mills counties; providing a board of trustees therefor; vesting said independent school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Zephyr Independent School District No. 39 as the subsisting obligations and acts of the Zephyr Independent School District, as created by this act; providing that an election may be held as herein set out to determine as to the assumption of any outstanding valid indebtedness of the territory hereby incorporated, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McDougald:

H. B. No. 351, A bill to be entitled "An Act to change the territory included in the Sour Lake Independent School District in Hardin county, Texas, and for other purposes."

Referred to Committee on School Districts.

By Mr. Frnka:

H. B. No. 352, A bill to be entitled "An Act to amend Sections 7 and 8, Chapter 19 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, and adding thereto Sections 8a and 8b, relating to quorum; providing for the appointment of certain officers, board of equalization, and providing for the execution of bond by certain officers of the Garwood Independent School District in Colorado county, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Frnka and Mr. Cummings:

H. B. No. 353, A bill to be entitled

"An Act to amend Article 4113 of the Revised Statutes of 1911, relating to the filing of inventory and appraisalment, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Jones:

H. B. No. 354, A bill to be entitled "An Act to amend Chapter 110, Local and Special Laws of the Thirty-third Legislature, Regular Session, being an act entitled 'An Act creating the Pearsall Independent School District in Frio county, Texas, including the town of Pearsall, incorporated for school purposes under General Laws of 1891; providing that bonded indebtedness created by said town of Pearsall shall not be a charge upon the new territory added thereto by this act, and no tax shall be levied on said new territory for payment of said indebtedness; providing for a board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof, and declaring an emergency,' by amending Section 1 of the said act so that it shall hereafter read as herein set out and by adding thereto Section 6a, providing that an election may be held to determine as to the assumption of outstanding indebtedness of territory incorporated into the Pearsall Independent District, validating current contracts for the maintenance of the schools of the districts included in the said Pearsall Independent District, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Hoskins:

H. B. No. 355, A bill to be entitled "An Act authorizing the commissioners court of any county in this State to have old probate records or papers recorded by the county clerk when in the opinion of the commissioners court such recording is necessary; authorizing the commissioners court to compensate the county clerk for such work out of the general fund of the county, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Loftin:

H. B. No. 356, A bill to be entitled "An Act providing for the levy and collection of an occupation tax of one cent on each ten cents of the gross receipts from the sale of malt liquors, ale, near-

beer, fermented or distilled liquors, carbonated drinks, drinks derived from grain or fruits, pop, ginger ale, rootbeer, sarsaparilla, Coca-Cola, artificial mineral waters, soft drinks of any kind, ice cream, frozen custards, sherbet, sundaes, or similar frozen or iced drinks or foods; providing penalties for violations of the provisions of the act; making certain exemptions; specifying the county, district, and State officers who shall put its provisions into execution; repealing parts of previous laws, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Rowland:

H. B. No. 357, A bill to be entitled "An Act to repeal Section 22 of Chapter 207 of the Acts of the Thirty-fifth Legislature, passed at its Regular Session, being House bill No. 37, approved April 9, 1917."

Referred to Committee on Criminal Jurisprudence.

By Mr. Kittrell:

H. B. No. 358, A bill to be entitled "An Act to repeal Chapter 104 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-eighth Legislature, being 'An Act to amend subdivisions 11, 55, 61 and 80 of Article 30 of Title 5, of the Revised Civil Statutes of the State of Texas, which subdivisions relate to the district courts of the Eleventh, Fifty-fifth, Sixty-first and Eightieth Judicial Districts of Texas, and fixing the terms and prescribing the jurisdiction and providing for the administration of the business of said courts and allowing compensation to the clerk of the Eightieth Judicial District Court in Harris county, and repealing all laws in conflict herewith,' and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Irwin, Mr. Sanford and Mr. Jacks:

H. B. No. 359, A bill to be entitled "An Act amending Chapter 46 of the General Laws of the Second Called Session of the Thirty-eighth Legislature, authorizing steam or electric railway companies, street railway companies, interurban railway companies and other chartered transportation companies, sleeping car companies, or persons or association of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employes, to issue free transportation to

ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Masterson:

H. B. No. 360, A bill to be entitled "An Act to amend Chapter 103 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, to authorize and compel the commissioners court of the various counties of the State of Texas, upon application of the owner or owners of lands that have been subdivided, to cancel and annul such lots, blocks and subdivisions, provided such action does not interfere with established rights, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Robinson:

H. B. No. 361, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, does, fawn, or wild turkey within the limits of the county of Leon, State of Texas, for a period of five years from and after the passage of this act, and providing a penalty therefor, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Jacks:

H. B. No. 362, A bill to be entitled "An Act to establish reciprocity between insurance companies organized under laws of the State of Texas and those of other States and foreign countries, imposing on such foreign insurance companies and their agents such requirements, conditions and the payment of such sums of money, whether as taxes, license, fees, fines, penalties, or deposits of securities, as may be required by the home State of such foreign insurance company or companies or companies organized in this State or the agents thereof, in excess of those imposed by this State, and empowering the Commissioner of Insurance to refuse to cancel permits of foreign insurance companies where permits of Texas companies would be refused or cancelled in such foreign State or territory, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Bonham:

H. B. No. 363, A bill to be entitled "An Act to create Common School Dis-

trict No. 5 in Refugio county, Texas; providing a board of trustees therefor, vesting said common school district board of trustees with all the rights, powers, privileges and duties conferred upon common school districts incorporated under the general laws of Texas, and providing for a board of trustees to serve until the time for next election of school trustees as provided by general law; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Common School District No. 5, as the subsisting obligations and acts of Common School District No. 5, as created by this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McDougald:

H. B. No. 364, A bill to be entitled "An Act to change the territory included in the Batson Independent School District in Hardin county, and for other purposes."

Referred to Committee on School Districts.

By Mr. Stout:

H. B. No. 365, A bill to be entitled "An Act to impose a tax on cigars and cigarettes and to provide for the collection of same, and the funds thereof to be used for educational purposes, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Gray (by request):

H. B. No. 366, A bill to be entitled "An Act to amend Article 1120, Title 15, Chapter 70, of the Penal Code of the State of Texas (being Article 1120 of that division known as the Code of Criminal Procedure of 1911), so as to increase the salaries of district attorneys in all judicial districts of this State composed of two or more counties; to provide for the appointment of an assistant district attorney in certain cases; providing for the manner of payment of salaries and disposition of fees, commissions, perquisites of the office of district attorney; providing for repeal of conflicting statutes, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Wade and Mr. Rowland:

H. B. No. 367, A bill to be entitled "An Act to prohibit the collection of and payment of witness fees to certain peace officers in criminal cases tried in the

county of their residence, and providing a penalty."

Referred to Judiciary Committee.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the house, read first time and referred to the Committee on Constitutional Amendments:

By Mr. Rowland:

H. J. R. No. 13, Proposing an amendment to the Constitution of the State of Texas, increasing the compensation of the Attorney General.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 113, to the Committee on Criminal Jurisprudence.

Senate bill No. 114, to the Committee on Banks and Banking.

Senate bill No. 29, to the Judiciary Committee.

Senate bill No. 103, to the Committee on Municipal and Private Corporations.

Senate bill No. 3, to the Committee on Game and Fisheries.

BILLS ORDERED NOT PRINTED.

On motion of Mr. DeBerry, House bills Nos. 319, 270, 262, 283 and 317 were ordered not printed.

On motion of Mr. Harman, House bill No. 309 was ordered not printed.

On motion of Mr. Rogers, House bill No. 329 was ordered recalled from the printer and ordered not printed.

BILL ORDERED PRINTED.

On motion of Mr. Smith of Travis, House bill No. 233, reported adversely with a minority favorable report, was ordered printed.

RELATING TO HOUSE BILL NO. 111.

Mr. Stout moved that House bill No. 111, reported adversely, with a minority favorable reported, be printed.

Mr. Young raised a point of order on consideration of the motion on the ground that under the rules of the House the time limit had expired.

The Speaker sustained the point of order.

ADDITION TO STANDING COMMITTEES.

On motion of Mr. Irwin, Messrs. Sheats and Rice were added to the Committee on Eleemosynary and Reformatory Institutions.

On motion of Mr. Frnka, Mr. Amsler was added to the Committee on Judicial Districts.

RELATING TO STATE PARKS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 16, Relating to State parks.

Whereas, The message of Pat M. Neff, as Governor of Texas, heretofore submitted to the Thirty-ninth Legislature of Texas, made report at the direction of the State park board of activities and accomplishments of said board; reporting among other things, the fact that deeds to many tracts of land for park purposes were now held by said board and it was recommended that the Legislature approve as park sites the property conveyed to the State by said conveyances and that said tracts of ground be accepted by the State as State parks. It being further recommended in said message that an appropriation of \$50,000 be made for the purpose of fencing, beautifying and maintaining said parks and such others as may be donated during the coming two years, and traveling expenses of the members of the State park board; and

Whereas, It is the sense of the Thirty-ninth Legislature of the State of Texas, in view of the urgent demands and needs of our public schools, our higher institutions of learning, our eleemosynary institutions, and other fixed and going departments of government, for appropriations for the actual and increasing needs of same, which needs have heretofore proven to be in excess of our available revenue, and give promise of exceeding the available revenue for the next two years, and that the State's financial condition makes a program of State parks impracticable at this time; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the park sites so generously and patriotically tendered by various donors to the State be, and the park board is hereby authorized to accept the same only upon condition that the maintenance, beautification and continued upkeep thereof be guaranteed by the donors thereof, or by some city, county or other local sub-

division of the State and that the State shall never be required to make appropriations therefor; that the deeds to said park sites and the covenants and agreements as to maintenance and upkeep thereof be submitted to the Attorney General of the State of Texas for his approval before acceptance.

Resolved, however, That this resolution be, and the same is not in any way intended as an expression of any lack of appreciation for the tender of the aforesaid park sites, but that the donors thereof are hereby expressly commended and the appreciation of the State is hereby expressed for the high motives actuating them in tender of said park sites; and the conditions upon which said sites shall be accepted, as herein expressed, are made solely because of the condition of the finances of the State of Texas and the very pressing demands made by other institutions as hereinabove expressed, which it is the sense of this Legislature makes impracticable and inopportune the taking over by the State, at this time, any of the burden of the maintenance and beautification of such an extended State park program as will be involved in the taking over for State support and maintenance the great number of parks acquired by the State park board.

The resolution was read second time and was adopted.

INVITATION FROM DEAF AND DUMB INSTITUTE.

Speaker Satterwhite stated that Mr. Scott, Superintendent of the Deaf and Dumb Institute, desired to present the House with an invitation to an entertainment to be given at the Institute for the members of the Legislature, and invited Mr. Scott and several of his students to the Speaker's stand.

Speaker Satterwhite then presented Mr. Scott, who presented two students from the Institute.

The students then extended an invitation to the House to attend an entertainment at the Institute on next Friday evening, February 6, their remarks being interpreted by their teacher.

On motion of Mr. Young, the invitation was accepted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 112, A bill to be entitled "An Act to amend Sections 14 and 15 of Senate bill No. 4, passed at the Second Called Session of the Thirty-first Legislature, the same being entitled 'An Act to provide for the regulation and supervision of banking corporations; providing for the securing of depositors of such corporations; providing for a depositors' guaranty fund and fixing the terms by which banks and trust companies may avail their depositors of the benefits of said fund; providing for a bond for securing depositors, and providing that all banking corporations created under Chapter 10, Acts of First Called Session of the Twenty-ninth Legislature shall avail their depositors of protection provided for by this act, either by the depositors' guaranty fund or by bond, at their option; providing that all national banks transacting business in this State may, at their option, voluntarily avail their depositors of the protection afforded by this act; providing that banks incorporated by special act of the Legislature of the State of Texas may voluntarily, on certain conditions, protect their depositors under this act; providing that private banks may voluntarily avail their depositors of the protection by bond provided by this act; amending Sections 39, 50, 56 and 44, Chapter 10, of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas; prescribing additional regulations and safeguards for the protection of depositors and for savings departments; prescribing the powers and duties of the Commissioner of Insurance and Banking; creating a State Banking Board and prescribing its powers and duties; providing for penalties for the violation of this act, and declaring an emergency,' the said Sections 14 and 15 of said Senate bill No. 4 being Articles 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, providing that State banks or State bank and trust companies that have elected to do business under the Guaranty Fund Law, as provided by said Senate bill No. 4, shall have the right by giving and filing the bond provided for under Sections 14 and 15 of said Senate bill No. 4, the same being Articles 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, to cease doing business as guaranty fund banks and thereafter to do business and come under the provisions of the Bond

Security System of said Senate bill No. 4, and providing for the return to such bank or bank and trust company its unused pro rata part of the guaranty fund as is now provided in the event of voluntary liquidation under Section 14 of said Senate bill No. 4, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 117, A bill to be entitled "An Act to amend Article 1689 of the Revised Civil Statutes of the State of Texas, providing that the bond of the district clerk shall be made in such a sum as the commissioners court may direct, not to exceed twenty-five thousand (\$25,000) dollars, and providing for the paying for said bond by the commissioners court out of the general funds of the county."

S. B. No. 115, A bill to be entitled "An Act to amend Title 8, Chapter 7, of the Code of Criminal Procedure of the State of Texas of 1911, by adding thereto Article 787a, providing that no evidence obtained by any officer or person by the violation of any provision of the Constitution of the State of Texas shall be admitted in evidence against the accused on the trial of any criminal case, and declaring an emergency."

H. B. No. 12, A bill to be entitled "An Act authorizing the Rio Grande & Eagle Pass Railway Company to abandon Minera Station, the western terminal of said railway in Webb county, Texas, and 8000 feet of the main line track immediately southeast thereof, and to take up and remove all tracks, bridges and culverts within the area, and creating an emergency."

S. C. R. No. 17, Requesting and demanding the repeal of the Esch-Cummins Law and Transportation Act passed by Congress in 1920, or the modification of such act by reduction of the present passenger rates and freight rates upon farm products and live stock.

S. C. R. No. 18, Relating to printing appropriation bills.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 101, "An Act making appropriations to pay salaries of judges, and the support and maintenance of the

Judicial Department of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and declaring an emergency."

SENATE BILL NO. 67 ON FINAL PASSAGE.

Mr. Hall called up for consideration at this time the motion to reconsider the vote by which Senate bill No. 67 had heretofore failed to pass, which motion to reconsider was duly spread on the Journal; due notice having been given that the motion to reconsider would be called up for consideration today.

Mr. Stevenson moved the previous question on the motion to reconsider the final passage of the bill and the main question was ordered.

Question recurring on the motion to reconsider, it prevailed.

The Speaker then laid before the House, on its final passage,

S. B. No. 67, A bill to be entitled "An Act to amend Chapter 32, Acts of the Regular Session of the Thirty-fifth Legislature, the same being entitled 'An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and provide a penalty for their misapplication," by extending the provisions of said act for a period of ten years from September 1, 1918,' by extending the provisions of said act for a period of ten years from September 1, 1928."

The bill having heretofore been read third time.

Question recurring on the final passage of the bill, yeas and nays were demanded.

Senate bill No. 67 was then finally passed by the following vote:

Yeas—81.

Acker.	Bobbitt.
Albritton.	Cade.
Amsler.	Chitwood.
Baker of Orange.	Coffey.
Barron.	Coody.
Bateman.	Cox of Lamar.
Bird.	Cummings.
Blount.	DeBerry.

Dielmann.	Perdue.
Donnell.	Petsch.
Dunn of Falls.	Pool.
Dunn of Hopkins.	Pope.
Faulk.	Powell.
Finlay.	Purl.
Florence.	Raymer.
Foster.	Rice.
Frnka.	Robinson.
Hagaman.	Rogers.
Hall.	Rowell.
Harper.	Rowland.
Hollowell.	Runge.
Irwin.	Sanford.
Jacks.	Shearer.
Jasper.	Sheats.
Johnson.	Simmons.
Jordan.	Sinks.
Kayton.	Smith of Travis.
Kemble.	Sparks.
Kenyon.	Stautzenberger.
Kinnear.	Stell.
Kittrell.	Stevenson.
Lane of Harrison.	Strong.
Low.	Taylor.
Masterson.	Veatch.
McDonald.	Wade.
McDougald.	Wells.
McGill.	Westbrook.
McKean.	Williamson.
McNatt.	Wilson.
Montgomery.	Young.
Nicholson.	

Nays—48.

Alexander	King.
of Bastrop.	Laird.
Atkinson.	Lane of Hamilton.
Avis.	Loftin.
Baker of Panola.	Mankin.
Barker.	McBride.
Bartlett.	McFarlane.
Bean.	Merritt.
Bedford.	Moore.
Boggs.	Parish.
Bonham.	Pavlica.
Brown.	Pearce.
Bryant.	Poage.
Conway.	Rawlins.
Covey.	Renfro.
Davis of Wood.	Smyth.
Downs.	Stevens.
Durham.	Stout.
Enderby.	Thompson.
Farrar.	Tomme.
Graves.	Walker.
Gray.	Webb.
High.	Wester.
Hoskins.	Woodruff.
Justice.	

Absent.

Dale.	Maxwell.
Davis of Dallas.	Smith of Nueces.
Fields.	Teer.
Houston.	Wallace.
Lipscomb.	

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Simpson.
Cox of Navarro.	Storey.

Paired.

Mr. Jones (present), who would vote "nay," with Mr. Daniels (absent), who would vote "yea."

Mr. Harman (present), who would vote "nay," with Mr. Hull (absent), who would vote "yea."

Mr. Shearer moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

The Speaker having announced that Senate bill No. 67 had passed, Mr. Harman raised a point of order on the decision of the Speaker on the ground that the bill had not received the favorable vote of two-thirds of the members voting, as required by the Constitution.

The Speaker overruled the point of order, stating that in doing so he was following an opinion furnished him by the Attorney General, which opinion held that a bill to remit taxes did not require an affirmative vote of two-thirds of the members voting on its passage.

COMMITTEE IN REGARD TO DIARY OF CAPT. ADOLPHUS STERNE.

The Speaker announced the appointment of the following committee on the part of the House to arrange for the presentation and acceptance of the diary of Capt. Adolphus Sterne:

Messrs. Johnson, Bedford, McDougald, Sheats and Renfro.

RECESS.

Mr. Purl moved that the House recess to 2:59 o'clock p. m. today.

Mr. Masterson moved that the House recess to 3 o'clock p. m. today.

Mr. Young moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Young prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

SENATE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 6, A bill to be entitled "An Act making unlawful the making or use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony, and prescribing punishment therefor."

The bill was read second time.

Mr. Bartlett offered the following (committee) amendment to the bill:

That the words "with the intent to defraud" be added and inserted in line 4, Section 4, immediately after the word "upon." And that the same words be inserted in paragraph 2, Section 1, immediately after the word "thereof" in line 4. And also that the same words be added by insertion in paragraph 3, Section 1, line 4, after the word "day."

(Mr. Hall in the chair.)

The amendment was lost.

(Speaker in the chair.)

Mr. Bartlett offered the following (committee) amendment to the bill:

That the bill be amended as follows: by inserting in the first paragraph of same, line 5, between the words "person" and "firm" the following words "or any," and by inserting in paragraph 2, line 3, between the words "person" and "firm," the following words, to wit, "or any," and by striking out the word "such" in line 3 of paragraph 3 and inserting in lieu thereof the word "the."

The amendment was adopted.

Mr. Acker offered the following amendment to the bill:

Amend House bill No. 49, Section 1, page 2, line 8, strike out the word "felony" and inserting "misdemeanor," lines 9 and 10, strike out all after the word "by" down to the word "imprisonment," in line 11, strike out the word "twelve" and insert "six," in 11, strike out the word "five" and insert "two."

The amendment was adopted.

Senate bill No. 6 then failed to pass to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 167, A bill to be entitled "An Act creating the Matagorda Independent School District in Matagorda county, Texas; defining its boundaries, dividing said district into two parts and dividing boundaries of each ward; providing for the election of a board of trustees to manage and control the public free schools within said district; providing for the continuance in office of the present board of trustees of the Matagorda Independent School District, who shall act as trustees of this district until the election and qualification of their successors, vesting the management and control of the public free schools within said district in said board of trustees; providing that said board of trustees shall be a body politic, corporate in law, and capable of suing and being sued; providing for the filling of vacancies on said board; providing for the annual election of trustees of said district; providing for the meeting and organization of said board; providing that of the seven trustees to be elected in said district four of this number shall reside in the Gulf ward and three in the Matagorda ward; conferring general supervisory authority upon said board of trustees, subject to the general laws of this State; providing for the selection by said board or its officers; authorizing said board of trustees to furnish free transportation to certain high school students; investing said board of trustees with the same general powers as are conferred by the statutes of this State upon the board of trustees of independent school districts; investing said district with all powers, rights and duties of independent school districts formed for free school purposes only; providing that the available school funds that have heretofore or that may be hereafter apportioned to the territory embraced in this district shall be paid immediately upon the passage of this act to the depository of said new district; providing for the selection of a depository; providing that if any of the territory embraced in this district shall by the time of the passing of this act constitute a portion of another dis-

strict against which there may be an outstanding bonded indebtedness, that such territory shall not be released from its pro rata part of said bonded indebtedness until the same is paid; providing that if any section or sections of this act should be held by the courts to be unconstitutional, that such action shall not in any wise affect the remaining sections of said act; providing that this act shall be cumulative of all general laws now in force or to be hereafter enacted governing independent school districts; providing that said school trustees shall maintain a high school at Gulf and an elementary school at Matagorda and Gulf; providing that the passage of this act shall not in any wise affect or abrogate any local tax now being levied, assessed and collected in any portion of said district for school purposes, and declaring an emergency."

H. B. No. 116, A bill to be entitled "An Act authorizing owners of oil and gas permits and leases issued on University land to sell and transfer same as a whole or in tracts not less than 40 acres, except in certain cases," with amendments.

S. B. No. 175, A bill to be entitled "An Act to permit the issuance to, and use by, Senators and members of the House of Representatives and their families, of free railroad transportation and sleeping car accommodations."

S. B. No. 179, A bill to be entitled "An Act to create the White Pond Common County Line School District in Fisher and Jones counties, Texas, including therein the present White Pond Common School District No. 5 in Fisher and Jones counties; providing a board of trustees therefor; vesting said county line school district board of trustees with all the rights, powers, privileges and duties conferred upon common county line schools districts incorporated under the general laws of Texas, and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law; conferring upon Fisher county jurisdiction over the said district; providing for the validation of all contracts, bonds or other indebtedness and tax levies of the present Common County Line District No. 5 as subsisting obligations and acts of the White Pond Common County Line District as created by the act, and declaring an emergency."

S. B. No. 105, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in

this State, which have adopted charters or attempted to adopt or amend charters since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, 1913, and validating all proceedings had by city councils or city commissions, or other governing authority, of said cities, in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act amending Article 6959a of the Penal Code of the State of Texas, relating to the pollution of watercourses and other bodies of water, declaring an emergency."

S. B. No. 124, A bill to be entitled "An Act to amend Section 3, Chapter 26, of the General Laws of the State of Texas passed by the Thirty-sixth Legislature, at the Regular Session thereof in 1919, entitled 'An Act to fix the compensation of county and district court jurors in both civil and criminal cases, jury commissions of the district and county courts and bailiffs of the grand jury,' the amendment being to the effect that each grand jury bailiff appointed as such bailiff by the court in counties of 150,000 population and more according to the 1920 census of the United States shall receive as compensation for his service the sum of \$5 for each day that he may serve as a grand jury bailiff."

S. B. No. 153, A bill to be entitled "An Act defining negligent assault and negligence; making it an offense to negligently injure the person or property of another; affixing punishment therefor, and declaring an emergency."

S. B. No. 137, A bill to be entitled "An Act to amend Articles 4155 and 4156 of the Civil Statutes of Texas, 1911, relating to the management and control of the estates of minors by guardians, so as to provide for the sale of the real estate of minors, and for the improvement of such real estate, and for the extension of debts against the estate of such minor, and to provide for securing the payment of such debts and for such improvements by executing mortgages, deeds of trust, mechanics' contracts and materialmen's liens in the manner and under the circumstances herein set forth, and providing for application for such order whenever it appears that a necessity exists therefor, and declaring an emergency."

S. B. No. 162, A bill to be entitled

"An Act to create the Hobbs Independent School District in Fisher county, Texas, including therein the present Hobbs Common Consolidated District No. 18 in Fisher county; providing a board of trustees therefor, vesting said independent school district board of trustees with all the rights, powers, privileges and duties of independent districts incorporated under the general laws of Texas; validating bonds, indebtedness, contracts and tax levies of said district No. 18, and making the same valid obligations and contracts of the said Hobbs Independent District; and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law, and declaring an emergency."

S. B. No. 163, A bill to be entitled "An Act to create the Blackwell Independent School District in Nolan county, Texas, including therein the present Blackwell Common School District No. 23 in Nolan county; providing a board of trustees therefor; vesting said independent school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; validating for Blackwell Independent District current indebtedness and taxes of the said Common School District No. 23; and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law, and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act to amend Article 2771, R. S., 1911, as amended by Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositors of independent districts."

S. B. No. 119, A bill to be entitled "An Act to amend Article 3681, Chapter 3, Title 53, of the Revised Civil Statutes of Texas, 1911, relating to the taking of depositions, and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act to repeal Chapter 134 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being 'An Act to create a more efficient road law for Walker county, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called

Session of the Thirty-sixth Legislature of the State of Texas, to place Walker county under the operation of the general road laws of the State of Texas, and providing that nothing in this act shall affect in any wise road bonds heretofore issued by said Walker county or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners court of said Walker county pursuant to the special road law hereby repealed, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 7 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 7, A bill to be entitled "An Act to adopt and establish a 'Penal Code' and a 'Code of Criminal Procedure' for the State of Texas."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 7 ON THIRD READING.

Mr. Kittrell moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Acker.	Cummings.
Albritton.	Dale.
Alexander	Davis of Dallas.
of Bastrop.	Davis of Wood.
Amsler.	DeBerry.
Avis.	Dielmann.
Baker of Panola.	Donnell.
Barker.	Downs.
Barron.	Dunn of Falls.
Bartlett.	Dunn of Hopkins.
Bateman.	Durham.
Bean.	Enderby.
Bedford.	Farrar.
Bird.	Faulk.
Bobbitt.	Fields.
Boggs.	Foster.
Bonham.	Graves.
Brown.	Gray.
Bryant.	Hall.
Cade.	Harper.
Chitwood.	High.
Coffey.	Hollowell.
Conway.	Hoskins.
Coody.	Irwin.
Cox of Lamar.	Jacks.

Jones.	Renfro.
Jordan.	Rice.
Justice.	Robinson.
Kayton.	Rogers.
King.	Rowell.
Kittrell.	Rowland.
Laird.	Runge.
Lane of Hamilton.	Sanford.
Lane of Harrison.	Shearer.
Lipscomb.	Sheats.
Loftin.	Simmons.
Mankin.	Sinks.
Masterson.	Smith of Travis.
McBride.	Smyth.
McDonald.	Stautzenberger.
McDougald.	Stell.
McFarlane.	Stevens.
McGill.	Stevenson.
McNatt.	Stout.
Merritt.	Strong.
Moore.	Taylor.
Nicholson.	Thompson.
Parish.	Tomme.
Pavlica.	Veatch.
Perdue.	Wade.
Poage.	Walker.
Pope.	Wallace.
Purl.	Webb.
Rawlins.	Williamson.
Raymer.	Woodruff.

Nays—5.

Baker of Orange.	Smith of Nueces.
Frnka.	Young.
Montgomery.	

Absent.

Atkinson.	Low.
Blount.	Maxwell.
Covey.	McKean.
Finlay.	Pearce.
Florence.	Petsch.
Hagaman.	Pool.
Harman.	Powell.
Houston.	Sparks.
Jasper.	Teer.
Johnson.	Wells.
Kemble.	Westbrook.
Kenyon.	Wester.
Kinnear.	Wilson.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

The Speaker then laid Senate bill No. 7 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Acker.	Albritton.
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Alexander	Kinnear.
of Bastrop.	Kittrell.
Amsler.	Laird.
Avis.	Lane of Hamilton.
Baker of Panola.	Lane of Harrison.
Barker.	Loftin.
Barron.	Mankin.
Bartlett.	Masterson.
Bateman.	McBride.
Bean.	McDonald.
Bedford.	McDougald.
Bird.	McGill.
Bobbitt.	McNatt.
Boggs.	Merritt.
Bonham.	Moore.
Brown.	Nicholson.
Bryant.	Parish.
Cade.	Pavlica.
Chitwood.	Perdue.
Coffey.	Pope.
Conway.	Purl.
Coody.	Rawlins.
Covey.	Raymer.
Cox of Lamar.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Davis of Dallas.	Rogers.
Davis of Wood.	Rowell.
DeBerry.	Rowland.
Dielmann.	Runge.
Donnell.	Sanford.
Downs.	Shearer.
Dunn of Falls.	Sheats.
Dunn of Hopkins.	Simmons.
Durham.	Sinks.
Enderby.	Smith of Travis.
Farrar.	Smyth.
Faulk.	Sparks.
Finlay.	Stautzenberger.
Florence.	Stell.
Foster.	Stevenson.
Graves.	Stout.
Gray.	Strong.
Hagaman.	Taylor.
Harman.	Thompson.
Harper.	Tomme.
High.	Veatch.
Hollowell.	Wade.
Irwin.	Walker.
Jacks.	Wallace.
Johnson.	Webb.
Jones.	Wester.
Jordan.	Williamson.
Justice.	Woodruff.
Kayton.	Young.
King.	

Nays—4.

Baker of Orange.	Montgomery.
Frnka.	Wells.

Absent.

Atkinson.	Houston.
Blount.	Jasper.
Fields.	Kemble.
Hall.	Kenyon.
Hoskins.	Lipscomb.

Low.	Pool.
Maxwell.	Powell.
McFarlane.	Smith of Nueces.
McKean.	Stevens.
Pearce.	Teer.
Petsch.	Westbrook.
Poage.	Wilson.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

RELATING TO SENATE BILL NO. 6.

Mr. Rawlins moved to reconsider the vote by which Senate bill No. 6 failed to pass to third reading, and asked to have the motion to reconsider spread on the Journal.

RELATING TO PRINTING OF APPROPRIATION BILLS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 18, Relating to printing of appropriation bills.

Resolved by the Senate of Texas, the House of Representatives concurring, That the publisher, or printer, who prints the Senate and House bills be requested, directed and instructed to publish and return all appropriation bills as soon as possible after delivery to such printer,—giving preference to all appropriation bills over other bills.

The resolution was read second time and was adopted.

SENATE BILL NO. 77 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 77. A bill to be entitled "An Act authorizing cities and towns to establish and maintain municipal bands, and to appropriate funds of the municipality for that purpose; providing for referendum elections by the qualified property taxpaying voters of cities and towns to determine whether or not such band shall be established and maintained; authorizing the governing body of cities and towns to pass ordinances and resolutions and enter into contracts for the organization, maintenance, operation and control of such bands; exempting charters already existing from the provisions hereof; repealing laws in con-

flict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

MOTION TO TAKE UP SENATE BILL NO. 77.

Mr. Jacks moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 77 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—87.

Albritton.	Masterson.
Baker of Orange.	McBride.
Baker of Panola.	McDonald.
Barker.	McDougald.
Barron.	McGill.
Bateman.	McNatt.
Bedford.	Merritt.
Bird.	Montgomery.
Bobbitt.	Moore.
Bonham.	Nicholson.
Brown.	Pavlica.
Cade.	Pearce.
Chitwood.	Perdue.
Coffey.	Pope.
Conway.	Purl.
Coody.	Rice.
Covey.	Robinson.
Cox of Lamar.	Rowell.
Cummings.	Rowland.
Dale.	Runge.
Davis of Dallas.	Sanford.
Davis of Wood.	Shearer.
DeBerry.	Sheats.
Dielmann.	Simmons.
Donnell.	Sinks.
Dunn of Hopkins.	Smith of Nueces.
Enderby.	Smith of Travis.
Faulk.	Smyth.
Frnka.	Stautzenberger.
Gray.	Stevens.
Hagaman.	Stevenson.
Hall.	Strong.
Harper.	Taylor.
High.	Thompson.
Hollowell.	Tomme.
Irwin.	Veatch.
Jacks.	Wade.
Jones.	Wallace.
Jordan.	Wells.
Justice.	Wester.
Kayton.	Williamson.
Kinnear.	Wilson.
Laird.	Woodruff.
Lane of Harrison.	Young.
Low.	

Nays—28.

Acker.	Amsler.
Alexander	Avis.
of Bastrop.	Bartlett.

Dunn.	McKean.
Bryant.	Parish.
Dowda.	Poage.
Dunn of Falls.	Raymer.
Farrar.	Renfro.
Finlay.	Rogers.
Florence.	Sparks.
Foster.	Stell.
King.	Stout.
Lane of Hamilton.	Walker.
Lipscomb.	Webb.
Mankin.	

Absent.

Atkinson.	Kenyon.
Blount.	Kittrell.
Boggs.	Loftin.
Durham.	Marwell.
Fields.	McFarlane.
Graves.	Petsch.
Harman.	Pool.
Hoskins.	Powell.
Houston.	Rawlins.
Jasper.	Teer.
Johnson.	Westbrook.
Kemble.	

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

SENATE BILL NO. 84 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 84, A bill to be entitled "An Act to adopt and establish the Revised Civil Statutes of the State of Texas."

The bill was read second time.

On motion of Mr. Bobbitt, further consideration on the bill was postponed until 3 o'clock p. m. tomorrow.

HOUSE BILL NO. 58 ON ENGROSS- MENT.

The Speaker laid before the House, as a special order for this hour, on its passage to engrossment,

H. B. No. 58, A bill to be entitled "An Act amending Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relative to the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles; making proper disposition of funds derived from registration fees of such vehicles for road purposes; prescribing the amount that shall go to the county road and bridge fund and the amount that shall go to the State

highway fund, and declaring an emergency."

The bill having heretofore been read second time.

Mr. Dale offered the following (committee) amendment to the bill:

Strike out Sections 4 and 5 in said bill and substitute in lieu thereof the following:

"Sec. 4. All registration fees on motor vehicles, commercial motor vehicles, trailers, semi-trailers, tractors, motor busses, motorcycles, steam vehicles, and electric vehicles when collected by the tax collector, shall be paid to the county in which the same is collected, and shall be placed in the road and bridge fund; provided, however, that any county in this State receiving more than one hundred thousand (\$100,000) dollars in registration fees shall pay to the Highway Department one-half of the fees over one hundred thousand (\$100,000) dollars collected.

"Sec. 5. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 6. The importance of this act and the fact that it provides a just and equitable method of registering vehicles and disposing of the funds derived from the registration fees, creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring that bills be read on three several days in each house, and said rule is hereby suspended, and this act shall take effect and be in force from and after January 1, 1926, and it is so enacted."

The amendment was adopted.

Mr. Hall offered the following amendment to the bill:

Amend House bill No. 58 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 16a as added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, shall hereafter read as follows:

Sec. 16a. Each application for the registration of any motor vehicle, tractor, trailer, semi-trailer or motorcycle in the State shall be made on a blank form provided by the State Highway Department for this purpose. The county tax collector shall not issue a license to any person until such application has been filled out in full and signed by the applicant. The requisite fee for the number of unexpired quarters for the calendar year shall accompany said application, which fee for the registration of a

motorcycle for a full calendar year shall be five (\$5) dollars, and for the registration of a passenger motor vehicle shall be based upon the weight of the vehicle as follows:

Weight of Vehicle in Pounds.	Fee per 100 lbs. or Fraction Thereof.
Class 1—1000-2000	40c
Class 2—2001-3500	50c
Class 3—3501-4500	60c
Class 4—4501 and up	75c

Provided that the minimum fee, as provided for herein, shall be \$4 for a full year.

Sec. 2. That Section 16b as added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, shall hereafter read as follows:

Sec. 16b. Commercial Motor Vehicles.—For each motor vehicle designed or used for the transportation of property, the annual license fee shall be based upon the gross weight of the vehicle, including the body, plus its net carrying capacity, and upon the tire equipment, as follows:

Gross Weight in Pounds	Fee per 100 lbs. or Fraction Thereof of the Carrying Capacity Plus the Weight of Vehicle.	
	If Equipped With Pneu- matic Tires	If Equipped With Solid Rubber Tires
Class 1— 1,000- 6,000.	\$.30	\$.40
Class 2— 6,001- 8,000.	.40	.50
Class 3— 8,001-10,000.	.50	.60
Class 4—10,001-12,000.	.60	.80
Class 5—12,001-14,000.	.80	1.00
Class 6—14,001-16,000.	1.20	1.50
Class 7—16,001-22,000.	1.60	2.00
Class 8—22,001 and up.	4.00	5.00

Sec. 3. That Section 16e as added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, shall hereafter read as follows:

Sec. 16e. Owners of passenger motor vehicles operated for hire shall, as a registration fee, in addition to the fee herein otherwise provided, pay annually an additional amount of five (\$5) dollars for each passenger such vehicle is capable of seating at one time; and a license plate designating the number of passengers the vehicle is licensed to carry shall be issued for each motor vehicle so registered.

Sec. 4. It shall be the duty of each

county tax collector on Monday of each week to deposit in the county depository to the credit of the county road and bridge fund one-half the total amount of all registration, transfer and license fees collected during the previous week, pursuant to this act and all other laws relative to the transfer and registration of motor vehicles, and to remit to the State Highway Department one-half the total amount of all such fees so collected, after deducting from said total the compensation allowed by this act for the collection of said fees.

Sec. 5. As compensation for their services under this act tax collectors shall receive four per cent of the first \$60,000 collected under the provisions of this act, and under the provisions of Chapters 190 and 207 of the General Laws of the Regular Session of the Thirty-fifth Legislature and subsequent amendments thereto, and they shall receive two per cent of all amounts so collected in excess of \$60,000. Said compensation shall be deducted from the total amount of all license fees so collected.

Sec. 6. That Sections 3 and 6 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature as amended by subsequent acts, including Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature and Chapter 37 of the General Laws of the Second Called Session of the Thirty-eighth Legislature, are hereby repealed and all other laws and parts of laws in conflict with this act are hereby repealed.

Sec. 7. The importance of this act and the fact that it provides a just and equitable method of registering vehicles and disposing of the funds derived from registration fees, creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house, and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Barron moved that further consideration of the bill be postponed until 3 o'clock p. m. next Friday.

Mr. Dale moved to table the motion to postpone.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—88.

Albritton.
Amsler.

Atkinson.
Avis.

Barker.	King.
Bateman.	Laird.
Bean.	Lane of Hamilton.
Bedford.	Lane of Harrison.
Boggs.	McBride.
Brown.	McDonald.
Bryant.	McFarlane.
Chitwood.	Merritt.
Coffey.	Pavlica.
Conway.	Pearce.
Coody.	Perdue.
Cox of Lamar.	Pope.
Dale.	Renfro.
Davis of Dallas.	Rice.
Davis of Wood.	Robinson.
DeBerry.	Rogers.
Donnell.	Sinks.
Dunn of Hopkins.	Smith of Nueces.
Durham.	Sparks.
Enderby.	Stautzenberger.
Fields.	Stevens.
Finlay.	Taylor.
Frnka.	Thompson.
Gray.	Veatch.
Harper.	Walker.
Johnson.	Wester.
Jones.	Young.
Justice.	

Nays—54.

Alexander	Low.
of Bastrop.	Mankin.
Baker of Orange.	Masterson.
Baker of Panola.	McGill.
Barron.	McKean.
Bartlett.	McNatt.
Bobbitt.	Montgomery.
Cade.	Moore.
Covey.	Parish.
Dielmann.	Pool.
Downs.	Purl.
Dunn of Falls.	Rawlins.
Farrar.	Raymer.
Faulk.	Rowell.
Florence.	Runge.
Foster.	Shearer.
Graves.	Sheats.
Hagaman.	Simmons.
Hall.	Smith of Travis.
High.	Stell.
Hollowell.	Stevenson.
Hoskins.	Stout.
Irwin.	Strong.
Jacks.	Tomme.
Jasper.	Wallace.
Jordan.	Wells.
Kinnear.	Westbrook.
Loftin.	Wilson.

Present—Not Voting.

Wade.	Woodruff.
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Absent.

Acker.	Bonham.
Bird.	Cummings.
Blount.	Harman.

Houston.	Petsch.
Kayton.	Poage.
Kemble.	Powell.
Kenyon.	Rowland.
Kittrell.	Sanford.
Lipscomb.	Smyth.
Maxwell.	Teer.
McDougald.	Webb.
Nicholson.	Williamson.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

Mr. Petsch moved that further consideration of the bill and the amendment be postponed until 10 o'clock a. m. next Friday.

Mr. Donnell moved to table the motion to postpone and the motion to table was lost.

Question then recurring on the motion to postpone, it was lost.

Mr. Tomme moved that the House adjourn until 10 o'clock a. m. tomorrow, and the motion to adjourn was lost.

Mr. Rice moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Hall, it was lost.

Mr. Frnka offered the following amendment to the bill:

Amend House bill No. 58, page 2, line 31, by adding after the word "time," the following: "Provided that any and all owners of motor vehicles operating the same exclusively for the transportation of children to and from any public school shall not be required to pay the additional tax as based on the seating capacity of such vehicle."

The amendment was adopted.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 58, Section 16c, line 30, by striking out "\$5" and substitute "\$1.50."

On motion of Mr. Smith of Travis, the amendment was tabled.

Mr. Donnell offered the following amendment to the bill:

Change words reading "one hundred thousand dollars" to read "fifty thousand dollars."

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 58 by adding Section 4a: "Should any article or part of this act be held invalid, it shall not affect or invalidate any other article or part hereof."

The amendment was adopted.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 58 by striking out lines 19 and 20, page 2, and insert "no such vehicle of more than five tons carrying capacity shall be permitted upon the public roads, streets or alleys of this State, and any person found in charge of or operating any such vehicle carrying more than five tons shall be deemed guilty of a misdemeanor, and upon conviction fined in any sum not exceeding two hundred dollars."

Mr. Dale moved to table the amendment.

Mr. Montgomery raised a point of order on further consideration of the bill at this time, on the ground that the time for the consideration of local bills has arrived.

The Speaker sustained the point of order.

SENATE BILL NO. 42 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 42, A bill to be entitled "An Act creating and incorporating Common School District No. 16 of Jefferson county, Texas; defining and determining the boundaries of said school district; prescribing the manner of changing and modifying the boundaries of said school district; conferring upon said school district, except as otherwise provided in this act, all the rights, powers, privileges and duties as are conferred and imposed by the general laws of this State upon common school districts; providing for a board of district trustees and prescribing the qualifications for members thereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 65 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 65, A bill to be entitled "An Act creating and incorporating French Independent School District in Jefferson county, Texas; defining its boundaries; prescribing the manner of changing and modifying the boundaries of said school district; conferring upon said school district, except as other-

wise provided in this act, all the rights, powers, privileges and duties as are conferred and imposed by the general laws of the State of Texas upon independent school districts; providing for a board of trustees to consist of five persons, and prescribing the qualifications and terms of office for members thereof; vesting said trustees and boards of trustees, except as otherwise provided in this act, with all the rights, powers, privileges and duties as are conferred and imposed by the general laws of this State upon trustees and boards of trustees of independent school districts; vesting the management and control of the public free school in said school district in the board of trustees as provided in this act; providing for the election of a board of trustees and their successors in office, etc."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 80 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 80, A bill to be entitled "An Act validating the proceedings of the county school trustees of Jim Wells county, Texas, in changing the boundaries of Alice Independent School District in said county and validating all proceedings had with respect to levying a tax of \$1 upon the \$100 valuation of all the taxable property in said school district, and validating all proceedings had with reference to the issuance of \$75,000 of school building bonds and authorizing their issuance, and repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 108 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 108, A bill to be entitled "An Act creating the Jarrell Common School District No. 12 in Nueces county, Texas, by redefining the boundaries of and adding to said Jarrell Common School District certain territory lying north of and adjacent to Jarrell Common School District, and now embraced in the Petronila Common School District No. 7 in Nueces county, Texas, and pro-

viding that the entire Jarrell Common School District No. 12, as herein created, may, by an election held for that purpose, assume and become liable for all legal indebtedness properly chargeable to that portion of said district formerly belonging to Petronila Common School District No. 7 and provided for by the provisions of this act; and providing for the issuance of bonds and the levy of a tax therefor, and providing for levy of maintenance tax for support of the public schools within said district as authorized under the general laws of this State; continuing in office the present trustees until the next regular trustee election; providing for election of trustees and conferring upon said trustees all the rights, powers, duties and authority conferred upon common school district trustees by the general laws of Texas; validating all bonds heretofore issued and all tax heretofore voted; repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 109 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 109, A bill to be entitled "An Act creating the Ben Bolt Independent School District in Jim Wells county, Texas; defining its boundaries; providing a board of seven trustees, and for the election of their successors; investing said district and its trustees with full powers, privileges and duties as provided by general laws for school districts incorporated for free school purposes only; investing the trustees with the control of the public schools in said district; authorizing the levy and collection of taxes for certain purposes; authorizing the commissioners court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and giving the electors of said district the right to vote in the election for county board members, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 111 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 111, A bill to be entitled "An Act creating the Palito Blanco Independent School District in Jim Wells county, Texas; defining its boundaries; providing a board of five trustees, and for the election of their successors; investing said district and its trustees with full powers, privileges and duties as provided by the general laws for school districts incorporated for free school purposes only; investing the trustees with the control of the public schools in said district; authorizing the levy and collecting of taxes for certain purposes; authorizing the commissioners court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and giving the electors of said district the right to vote in the election for county board members, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 182 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 182, A bill to be entitled "An Act to amend Section 52 of Article 30, Title 5 of the Revised Civil Statutes of Texas, as amended by Chapter 100 of the General Laws of the State of Texas passed by the Thirty-eighth Legislature at its Regular Session, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 182 ON THIRD READING.

Mr. Lane of Hamilton moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	King.
Albritton.	Kinnear.
Alexander	Kittrell.
of Bastrop.	Laird.
Amsler.	Lane of Hamilton.
Avis.	Lane of Harrison.
Baker of Orange.	Mankin.
Baker of Panola.	McBride.
Barker.	McDonald.
Barron.	McFarlane.
Bartlett.	McGill.
Bateman.	McNatt.
Bean.	Montgomery.
Bedford.	Nicholson.
Bird.	Parish.
Bobbitt.	Pavlica.
Boggs.	Pearce.
Brown.	Perdue.
Cade.	Petsch.
Chitwood.	Poage.
Coffey.	Pool.
Conway.	Pope.
Coody.	Raymer.
Cox of Lamar.	Renfro.
Dale.	Rice.
Davis of Dallas.	Robinson.
Davis of Wood.	Rogers.
Dieltmann.	Rowell.
Donnell.	Rowland.
Downs.	Runge.
Dunn of Falls.	Sanford.
Dunn of Hopkins.	Shearer.
Durham.	Sheats.
Enderby.	Simmons.
Farrar.	Sinks.
Florence.	Stautzenberger.
Foster.	Stell.
Frnka.	Stevens.
Graves.	Stevenson.
Gray.	Stout.
Hagaman.	Strong.
Hall.	Taylor.
Harper.	Thompson.
High.	Tomme.
Hollowell.	Walker.
Hoskins.	Wallace.
Irwin.	Webb.
Jasper.	Wells.
Johnson.	Westbrook.
Jones.	Wester.
Kayton.	Williamson.
Kemble.	Wilson.

Present—Not Voting.

Wade.

Absent.

Atkinson.	Finlay.
Blount.	Harman.
Bonham.	Houston.
Bryant.	Jacks.
Covey.	Jordan.
Cummings.	Justice.
DeBerry.	Kenyon.
Faulk.	Lipscomb.
Fields.	Loftin.

Low.	Rawlins.
Masterson.	Smith of Nueces.
Maxwell.	Smith of Travis.
McDougald.	Smyth.
McKean.	Sparks.
Merritt.	Teer.
Moore.	Veatch.
Powell.	Woodruff.
Purl.	Young.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

The Speaker then laid Senate bill No. 182 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Acker.	Hoskins.
Albritton.	Jasper.
Alexander	Johnson.
of Bastrop.	Jones.
Amsler.	Jordan.
Avis.	Justice.
Baker of Orange.	Kayton.
Baker of Panola.	Kemble.
Barker.	Kenyon.
Barron.	King.
Bartlett.	Kinnear.
Bateman.	Kittrell.
Bean.	Laird.
Bedford.	Lane of Hamilton.
Bird.	Lane of Harrison.
Bobbitt.	Low.
Brown.	Mankin.
Cade.	McBride.
Chitwood.	McFarlane.
Coffey.	McGill.
Conway.	McKean.
Coody.	McNatt.
Dale.	Merritt.
Davis of Dallas.	Montgomery.
Davis of Wood.	Parish.
Donnell.	Pavlica.
Downs.	Pearce.
Dunn of Falls.	Perdue.
Dunn of Hopkins.	Petsch.
Durham.	Pool.
Enderby.	Pope.
Farrar.	Raymer.
Florence.	Renfro.
Foster.	Rice.
Frnka.	Robinson.
Graves.	Rogers.
Gray.	Rowell.
Hagaman.	Rowland.
Hall.	Runge.
Harper.	Sanford.
High.	Shearer.
Hollowell.	Simmons.

Sinks.	Tomme.
Smith of Nueces.	Veatch.
Sparks.	Wade.
Stautzenberger.	Walker.
Stell.	Wallace.
Stevens.	Wells.
Stevenson.	Westbrook.
Stout.	Wester.
Strong.	Woodruff.
Taylor.	Young.
Thompson.	

Absent.

Atkinson.	Loftin.
Blount.	Masterson.
Boggs.	Maxwell.
Bonham.	McDonald.
Bryant.	McDougald.
Covey.	Moore.
Cox of Lamar.	Nicholson.
Cummings.	Poage.
DeBerry.	Powell.
Dielmann.	Purl.
Faulk.	Rawlins.
Fields.	Sheats.
Finlay.	Smith of Travis.
Harman.	Smyth.
Houston.	Teer.
Irwin.	Webb.
Jacks.	Williamson.
Lipscomb.	Wilson.

Absent—Excused.

Alexander	Dinkle.
of Limestone.	Dunlap.
Carter.	Hull.
Cox of Navarro.	Simpson.
Daniels.	Storey.

SENATE BILL NO. 186 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 186, A bill to be entitled "An Act repealing Sections 1 to 14, both numbers inclusive, of Chapter 115, Special Laws enacted by the Regular Session of the Thirty-third Legislature, approved March 31, 1913, and Chapter 114, Acts Thirty-fifth Legislature, 1917, same being an act creating a more efficient road system for Zavalla county, Texas; adopting for said county the general laws of the State relating to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof; validating Road District No. 4 and bond elections heretofore held, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 176 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 176, A bill to be entitled "An Act validating Common Line Consolidated School District No. 3 of Henderson and Kaufman counties as defined and attempted to be created by the county board of school trustees of Henderson county on September 4, 1923, and the county board of school trustees of Kaufman county on August 13, 1923, validating all bond issues and special taxes which may have been voted by said district, ratifying all acts of the local board of trustees of said district under the control of Henderson county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 212 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 212, A bill to be entitled "An Act incorporating the Italy Independent School District in Ellis county, Texas, for free school purposes only; defining its boundaries; providing for board of trustees; providing for a treasurer for the funds of said district, and providing for an assessor and collector of taxes of said district; divesting the city of Italy of the control of its public schools and the title to school property and vesting the same in said Italy Independent School District and its board of trustees, and prescribing the rights, privileges and duties of said Italy Independent School District and its board of trustees and officers; authorizing the levying and collection of taxes for said school purposes, and authorizing the right of eminent domain to condemn property for school purposes; authorizing the said independent school district to borrow money without the issuance of bonds; authorizing the said board to be vested with all authority that is vested in board of trustees of independent school districts by the general laws of the State of Texas, and authorizing them to employ an attorney for the protection of property, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 216 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 216, A bill to be entitled "An Act to amend Chapter 102, Special Laws of the Thirty-eighth Legislature enacted at its Regular Session, creating the Spicewood Independent School District; the said amendment providing for redefining the boundaries of said school district and providing for retention in office of present board of trustees and confirming the rights of the present board of trustees under the general laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district as extended by this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 252 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 252, A bill to be entitled "An Act creating and establishing Rotan Independent School District in Fisher county, Texas; defining and describing it by metes and bounds; providing for the government thereof; providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included; vesting in it the title to all school property situated in the territory so included; providing for the government thereof as under the general laws applicable to towns and villages incorporated for school purposes only; providing for extension of boundaries thereof, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 236 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 134 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature

of the State of Texas, being 'An Act to create a more efficient road law for Walker county, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, to place Walker county under the operation of the general road laws of the State of Texas, and providing that nothing in this act shall affect in anywise road bonds heretofore issued by said Walker county or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners court of said Walker county pursuant to the special road laws hereby repealed, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 255 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 255, A bill to be entitled "An Act to repeal Chapter 7 of the Local and Special Laws of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, being an act creating a more efficient road system for Madison county; providing that nothing herein shall impair or effect in any wise road bonds heretofore issued by said Madison county or any subdivision thereof under the special road law of said county or otherwise, and that nothing herein shall affect or impair any existing contract executed or entered into by the commissioners court of Madison county pursuant to the special road law hereby repealed, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 262 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 262, A bill to be entitled "An Act to create the Timpson Independent School District in Shelby county, Texas, to provide for the election of trustees, for the raising of revenue, issuing bonds, maintaining public free schools, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied,

providing for extension of boundaries, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 267 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 267, A bill to be entitled "An Act creating and incorporating the Draw Independent School District in Lynn county, Texas, out of territory now comprising the Draw Common School District No. 8 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Draw Common School District No. 8 and the assumption of all such obligations and indebtedness by the Draw Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title to all property in said district be divested out of the Draw Common School District No. 8 and vested in Draw Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portion, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 270 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 270, A bill to be entitled "An Act creating and incorporating the Melvin Independent County Line School

District lying in the counties of McCulloch and Concho in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the general laws governing independent districts; providing that no outstanding indebtedness of the Melvin County Line District be invalidated, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 271 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 271, A bill to be entitled "An Act creating a more efficient road system for Bastrop county, Texas; providing for the establishment of office of superintendent of public roads and bridges in said county; providing the manner of appointing such superintendent, prescribing his qualifications, term of office, salary and powers and duties with reference to the public roads and bridges; making the members of the commissioners court, in their respective precincts, and fixing their salary; prescribing the powers and duties of the commissioners court with reference to roads of overseers and persons liable to road duty in said county, and fixing the county judge's and commissioners' salary for serving as members of the commissioners court; providing for working county convicts on the public roads and bridges, and giving the commissioners court power to make rules and regulations therefor; and providing for the working of delinquent poll tax payers on the roads and bridges of said county; prescribing the manner in which the commissioners court may condemn land and material of whatsoever kind for road and bridge purposes; and providing that said court may accept donations of land, money, labor, teams, tools and all kinds of necessary property and material for road and bridge purposes; providing for the recovery of damages from any person who knowingly and wilfully destroys, injures, or misplaces any bridge, culvert, drains, sewer, ditch, signboard, mile post, or tile, or anything of like character placed on any road for the benefit of same; giving the commissioners court power to transfer any surplus fund from one fund of the county to another and making certain exceptions thereto; providing that all fines, penalties and forfeitures collected by reason of any misdemeanor,

conviction shall be paid into the road and bridge fund of said county; explaining certain words and terms used in this law, and authorizing the commissioners court to refund all outstanding indebtedness incurred prior to March 1, 1925, for road and bridge purposes; providing that this act shall be cumulative of all general laws on the subject of roads and bridges when not in conflict herewith, and repealing all special road laws for Bastrop county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 283 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 283, A bill to be entitled "An Act creating and incorporating Coble Independent School District, Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Coble Independent School District shall assume any and all valid outstanding obligations and indebtedness of Coble Common School District No. 3 in Hockley county, Texas, that is within the territory of the Coble Independent School District that shall hereinafter be described; validating and continuing in force all taxes heretofore voted and now in force in Coble Common School District No. 3; providing that title to all property now vested in Coble Common School District No. 3, that shall be within the territory of said Coble Independent School District No. 3, shall vest in Coble Independent School District No. 3, as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 286 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 286, A bill to be entitled "An Act repealing Sections 1 to 14, both numbers inclusive, of Chapter 115, Special Laws enacted by the Regular Session of the Thirty-third Legislature, approved March 31, 1913, and Chapter 114, Acts of the Thirty-fifth Legislature, 1917, same being 'An Act creating more efficient road system for Zavalla county, Texas'; adopting for said county the general laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; validating Road District No. 4 and bond elections heretofore held, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 294 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 294, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district together with jurors heretofore selected are valid and returnable to the first term of such court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms, repealing all conflicting laws, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 301 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 301, A bill to be entitled "An Act creating the Goldthwaite Inde-

pendent School District in Mills county, Texas; defining its boundaries, including the present Goldthwaite Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof, or any other law or laws that may be hereafter enacted governing independent school districts created or incorporated for free school purposes only under the general laws of this State; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the title to all school property within the boundaries herein defined shall be and is vested in the Goldthwaite Independent School District as herein created; providing that this act shall not affect local maintenance or bond taxes; repealing conflicting laws, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 309 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 309, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of McLennan county, Texas; providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 317 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 317, A bill to be entitled "An Act creating and incorporating the Fivemile Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 21 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Fivemile Independent School District shall assume all the obligations and indebtedness of said Common School District No.

21; vesting title of property of said Common School District No. 21 in Fivemile Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 319 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 319, A bill to be entitled "An Act enlarging and re-establishing the limits and defining the territory embraced within the Theny Independent School District in Comanche county, Texas; divesting control of the free schools in said district from the existing district and investing the same in the district herein created, etc."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 329 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 329, A bill to be entitled "An Act repealing Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The bill was read second time and was passed to engrossment.

NOTICES GIVEN.

Mr. Wallace gave notice that he would on tomorrow ask to be taken up for consideration at that time House bill No. 100, which bill had heretofore been laid on the table subject to call.

Mr. Kinnear gave notice that he would on tomorrow ask to be taken up for consideration at that time House bill No. 70, which bill had heretofore been laid on the table subject to call.

HOUSE BILL NO. 116 WITH SENATE AMENDMENTS.

Mr. Kemble called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 116, A bill to be entitled "An Act authorizing owners of oil and gas permits and leases issued on University land to sell and transfer same

as a whole or in tracts not less than 40 acres except in certain cases."

On motion of Mr. Kemble, the House concurred in the Senate amendments.

COMMITTEE EXCUSED.

On motion of Mr. Chitwood, Chairman of the Committee to Investigate Affairs of the Penitentiary System, Messrs. Irwin, Stevenson, Chitwood, King and Farrar were excused for this evening on account of important committee work.

ADJOURNMENT.

On motion of Mr. Hall, the House, at 4:45 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Public Printing—House bill No. 253; House concurrent resolution No. 8.

Public Lands and Buildings—House bill No. 274.

State Affairs—House bill No. 304.

School Districts—House bills Nos. 317, 270, 319, 262, 283.

Constitutional Amendments—House joint resolutions Nos. 8, 1.

Criminal Jurisprudence—House bills Nos. 331, 67.

Education—House bill No. 202.

The following committees have filed unfavorable reports on bills as follows:

Revenue and Taxation—House bills Nos. 125, 233.

Constitutional Amendments—House joint resolution No. 9.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 230, A bill to be entitled "An Act authorizing the sale to the United States of America of the American Legion Memorial Sanatorium of Texas, owned by the State of Texas and situated near the town of Kerrville, in Kerr county, Texas, including lands, buildings, improvements, equipment; reg-

ulating the price at which same shall be sold; providing the proper portion of the funds realized from such sale shall be placed in the State Treasury and making proper disposition of the remainder; authorizing the proper instrument of conveyance to be executed, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 180, A bill to be entitled "An Act amending Article 6267 of the Revised Civil Statutes of 1911 as amended, and amending Chapter 2, Title 105, Revised Civil Statutes of 1911, by inserting therein Article 6267a, said articles relating to pensions; authorizing and directing the collection of the increased amount of taxes under Section 51 of Article 3 of the State Constitution as amended; amending the statutes so as to conform to the purpose and intent and the authority granted in said section of the Constitution as amended; repealing Chapter 86 of the General Laws of the Regular Session of the Thirty-sixth Legislature and all laws and parts of laws in conflict with this act; providing the rule of construction in event any part of this act should be held to be invalid, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust, or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as

amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendors' liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 4, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 57, A bill to be entitled "An Act creating an additional district court for Dallas county; defining its jurisdiction; adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

And find the same correctly engrossed.
ROWELL, Chairman.

NINETEENTH DAY.

(Thursday, February 5, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Chitwood.
Albritton.	Coffey.
Alexander	Conway.
of Bastrop.	Coody.
Amsler.	Cox of Lamar.
Atkinson.	Cox of Navarro.
Avis.	Cummings.
Baker of Orange.	Dale.
Baker of Panola.	Davis of Dallas.
Barker.	Davis of Wood.
Barron.	DeBerry.
Bartlett.	Dielmann.
Bateman.	Dinkle.
Bean.	Donnell.
Bedford.	Downs.
Bobbitt.	Dunn of Falls.
Boggs.	Dunn of Hopkins.
Bonham.	Durham.
Brown.	Enderby.
Bryant.	Farrar.
Cade.	Faulk.
Carter.	Fields.

Finlay.	Pearce.
Florence.	Perdue.
Foster.	Petsch.
Frnka.	Poage.
Graves.	Pool.
Gray.	Pope.
Hagaman.	Rawlins.
Hall.	Raymer.
Harman.	Renfro.
Harper.	Rice.
High.	Robinson.
Hollowell.	Rogers.
Hoskins.	Rowell.
Irwin.	Rowland.
Jacks.	Runge.
Jasper.	Sanford.
Johnson.	Shearer.
Jones.	Sheats.
Jordan.	Simmons.
Kayton.	Sinks.
Kemble.	Smith of Nueces.
King.	Smith of Travis.
Kinnear.	Smyth.
Kittrell.	Sparks.
Laird.	Stautzenberger.
Lane of Hamilton.	Stell.
Lane of Harrison.	Stevens.
Lipscomb.	Stevenson.
Loftin.	Storey.
Low.	Stout.
Mankin.	Strong.
Masterson.	Taylor.
McBride.	Thompson.
McDonald.	Tomme.
McDougald.	Veatch.
McFarlane.	Wade.
McGill.	Walker.
McKean.	Wallace.
McNatt.	Webb.
Merritt.	Wells.
Montgomery.	Westbrook.
Moore.	Wester.
Nicholson.	Williamson.
Parish.	Woodruff.
Pavlica.	Young.

Absent.

Covey.	Purl.
Houston.	Teer.
Maxwell.	Wilson.

Absent—Excused.

Alexander	Hull.
of Limestone.	Justice.
Bird.	Kenyon.
Blount.	Powell.
Daniels.	Simpson.
Dunlap.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business: